

§ 750.5

15 CFR Ch. VII (1–12 Edition)

§ 750.5 [Reserved]

§ 750.6 Denial of license applications.

(a) *Intent to deny notification.* If BIS intends to deny your license application, BIS will notify you in writing within 5 days of the decision. The notification will include:

- (1) The intent to deny decision;
- (2) The statutory and regulatory basis for the denial;
- (3) To the extent consistent with the national security and foreign policy of the United States, the specific considerations that led to the decision to deny the license application;
- (4) What, if any, modifications or restrictions to the license application would allow BIS to reconsider the license application;
- (5) The name of the BIS representative in a position to discuss the issues with the applicant; and
- (6) The availability of appeal procedures.

(b) *Response to intent to deny notification.* You will be allowed 20 days from the date of the notification to respond to the decision before the license application is denied. If you respond to the notification, BIS will advise you if, as a result of your response, the decision to deny has been changed. Unless you are so advised by the 45th day after the date of the notification, the denial will become final, without further notice. You will then have 45 days from the date of final denial to exercise the right to appeal under part 756 of the EAR.

§ 750.7 Issuance of licenses.

(a) *Scope.* A license authorizes only a specific transaction, or series of transactions, as described in the license application and any supporting documents. A license application may be approved in whole or in part or further limited by conditions or other restrictions appearing on the license itself or in the EAR.

(b) *Issuance of a license.* BIS may issue a license electronically via its Simplified Network Application Processing (SNAP-R) system or via paper or both electronically and via paper. Each license has a license number that will be shown on the license.

(c) *Changes to the license.* (1) The following non-material changes do not require submission of a “Replacement” license or any other notification to BIS. (If you wish to make any change not identified in this paragraph, you will need to submit a “Replacement” license in accordance with the instructions contained in Supplement No. 1 to part 748 of the EAR, Block 11):

- (i) Decrease in unit price or total value;
- (ii) Increase in price or quality if permitted under the shipping tolerance in § 750.11 of this part;
- (iii) Increase in price that can be justified on the basis of changes in point of delivery, port of export, or as a result of transportation cost, drayage, port charges, warehousing, currency fluctuations, etc.;
- (iv) Establishment of unit or total price in conformance with a “price statement” on a license that permits price to be based on the market price at a specified date plus an exporter’s mark-up, or like basis;
- (v) Change in intermediate consignee if the new intermediate consignee is located in the country of ultimate destination as shown on the license, except a change in, or addition of, an intermediate consignee involving a consolidated shipment;
- (vi) Change in continuity of shipment by unloading from carrier at a country listed in Country Group B (see Supplement No. 1 to part 740 of the EAR) port not in the country of ultimate destination, without the designation of an intermediate consignee on the shipping documents and license, provided:

(A) The purpose is to transfer the shipment to another vessel, barge, or vehicle, solely for onforwarding to the country of destination shown on the shipping documents and the license;

(B) The shipment is moving on a through bill of lading;

(C) The carrier is not registered in, owned or controlled by, or under charter or lease to a country in Country Group D:1 or E:2 (see Supplement No. 1 to part 740 of the EAR), or a national of any of these countries;

(D) The carrier retains custody of the shipment until it is delivered to the ultimate consignee; and